

OCT 03 2003

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
112780-004

In Re Application Of: Chiba, T., et al.

Serial No.
09/576,681

Filing Date
May 23, 2000

Examiner
Lynne Renee Edmondson

Group Art Unit
1725

Title: SHAPE OF MICRODOT MARK FORMED BY LASER BEAM AND MICRODOT MARKING METHOD

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Office Action (10 pgs.); Terminal Disclaimer To Obviate A Double Patenting Rejection (3 pgs.);
Petition for Extension of Time (duplicate); Information Disclosure Statement (2 pgs.); PTO Form 1449 (1 pg.); Two
References; One English abstract; check in the amount of \$410.00; return receipt postcard.

in the above identified application.

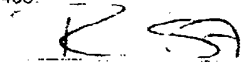
- ☐ No additional fee is required.
- ☒ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818
as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.


Signature

Dated: September 29, 2003

Michael S. Leonard (Reg. No. 37,557)
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690-1135
Tel: 312/807-4270
Fax: 312/827-8185

I certify that this document and fee is being deposited
on Sept. 29, 2003 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chiba, T., et al.
Appl. No.: 09/576,681
Conf. No.: 3711
Filed: May 23, 2000
Title: SHAPE OF MICRODOT MARK FORMED BY LASER BEAM AND
MICRODOT MARKING METHOD
Art Unit: 1725
Examiner: Lynne Renee Edmondson
Docket No.: 112780-004

RECEIVED
OCT 14 2003
TC 1700

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Sir:

I, Michael S. Leonard, an attorney of record, do hereby state that Komatsu Limited is the owner of the entire right, title and interest to U.S. Patent No. 6,437,454. The terminal part of any patent granted on U.S. Application Serial No. 09/576,681 which would extend beyond the expiration date of U.S. Patent No. 6,437,454 is hereby disclaimed and it is hereby agreed that any patent so granted on the above-identified U.S. Application Serial No. 09/576,681 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,437,454, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

I, Michael S. Leonard, an attorney of record, do hereby state that Komatsu Limited is the owner of the entire right, title and interest to U.S. Patent No. 6,436,842. The terminal part of any patent granted on U.S. Application Serial No. 09/576,681 which would extend beyond the expiration date of U.S. Patent No. 6,436,842 is hereby disclaimed and it is hereby agreed that

any patent so granted on the above-identified U.S. Application Serial No. 09/576,681 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,436,842, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The evidentiary documents have been reviewed and it is hereby certified that to the best of my knowledge and belief that title to the above-identified patent application is in the name of Komatsu Limited.

In making the above disclaimers, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is any manner terminated prior to the expiration of its full statutory term as presently shorted by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these

Appl. No. 09:576.681

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Michael S. Leonard

Reg. No. 37,557

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4270

Dated: September 29, 2003